

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

MARY JONES, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CIVIL ACTION NO. 1:06cv585-WHA
	)	
LAMAR GLOVER, et al.,	)	
	)	
Defendants..	)	

**ORDER**

Upon consideration of recently-filed motions and the Plaintiffs' Amended Complaint, it is hereby ORDERED as follows:

1. Since the Notice of Dismissal (Doc. #39), filed by the Plaintiffs on March 18, 2007, was not filed before service by the Defendants of a Motion for Summary Judgment, dismissal by the Plaintiffs without order of the court is unavailable under Rule 41(a)(1), *Fed.R.Civ.P.* Unless, however, the Defendants show cause **on or before March 30, 2007**, why the court should do otherwise, the court will treat the Notice as a motion and will grant it according to its terms.

2. The Motion to Appoint Special Process Server (Doc. #41) is GRANTED, and Browns' Legal Process is appointed as special process server for the Plaintiffs to perfect service upon Defendant, Thomas M. Flathmann, at Plaintiffs' expense. Plaintiffs are given **until April 13, 2007**, to perfect such service and to file a proper return with the court.

DONE this 22nd day of March, 2007.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE